

Message

From: Pankratz, Shannon L SPL [Shannon.L.Pankratz@usace.army.mil]
Sent: 12/8/2015 11:02:10 PM
To: Nate Bello [bello@wra-ca.com]; Julie Beeman [JBeeman@vcsenvironmental.com]; Tracey Brownfield [tracey@landveritas.com]
CC: Allen, Aaron O SPL [Aaron.O.Allen@usace.army.mil]; Swenson, Daniel P SPL [Daniel.P.Swenson@usace.army.mil]; Troxel, Tiffany A SPL [Tiffany.A.Troxel@usace.army.mil]; Zimmerman, Jan@Waterboards [jan.zimmerman@waterboards.ca.gov]; Mahdavi, Sarvy [Mahdavi.Sarvy@epa.gov]; Lawhead, David@Wildlife [David.Lawhead@wildlife.ca.gov]
Subject: Corps Follow-up Comments: Petersen Ranch MB, BEI
Attachments: Exhibit F-1 App A Mitigation Ratio Setting Checklist_CORPS EDITS_2015120....docx; Pages from Exhibit C-1_Fig56_Additioanl Photo Points-Directions.pdf; Pages from Exhibit C-1_Fig48_Additioanl Photo Points-Directions.pdf

Importance: High

Hi Nate,

Below are our comments on the draft BEI, following receipt of the 10/13/15 Response-to-IRT Comments and additional BEI docs posted on the ftp site. The responses to our comments have been reviewed and are determined as acceptable, including the UPS comment rows. For the various documents to be revised, please provide a table listing the comments, what changes were made to address the comments, and list the Section/page numbers for each response. Once Tiffany is able to review the BEI documents, we will pass along those comments:

BDP-(PDF version, dated November 2015)

1. On page 15, Section 4.1.1, the term "uniform re-establishment credit" should be used.
2. The table footnotes regarding the exotics UPS need to be globally modified to only allowing 10% or less cover of highly invasive species.
3. The page headers do not match up with the text section headers (page 24+, page 40+, page 46+).
4. On page 60, Table 31 lists ephemeral stream and freshwater marsh uniform re-establishment credits, but shouldn't this rather be ephemeral stream and alluvial fan uniform re-establishment credits, as described in the text of Sections 2.3.1-2.3.3? Even Table 32 reflects the hydrology UPS for alluvial fan areas.
5. For Figures 48 and 56 (attached), see the green dots and arrows for adding additional photo points/directions to these figures.

EXHIBIT F, Appendix A-

6. Corps' edits (per tracked changes) on the mitigation checklist examples need to be made (attached). Also, grandfathering of the South Pacific Division mitigation checklist procedures is not allowable.

OTHER (Exhibit E)-

7. A current title report is still needed.

Thanks,

Shannon Pankratz
Senior Project Manager, Biologist

Department of the Army
Los Angeles District, U.S. Army Corps of Engineers
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You are invited to complete our customer survey, located at the following link: http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

Note: If the link is not active, copy and paste it into your internet browser.

-----Original Message-----

From: Pankratz, Shannon L SPL

Sent: Thursday, September 17, 2015 8:40 AM

To: 'Nate Bello' <bello@wra-ca.com>

Cc: Allen, Aaron O SPL <Aaron.O.Allen@usace.army.mil>; Swenson, Daniel P SPL <Daniel.P.Swenson@usace.army.mil>; David Lawhead <David.Lawhead@wildlife.ca.gov>; Zimmerman, Jan@waterboards <jan.zimmerman@waterboards.ca.gov>; Sarvy Mahdavi <Mahdavi.Sarvy@epa.gov>; Tim DeGraff <degraff@wra-ca.com>; Tracey Brownfield <tracey@landveritas.com>; Keelie Rocker <KRocker@vcsenvironmental.com>; Julie Beeman <JBeeman@vcsenvironmental.com>
Subject: Corps comments: Petersen Ranch MB, BEI Re-submittal (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Hi Nate,

Below are our comments on the draft BEI. For the various documents to be revised, please provide a table listing the comments, what changes were made to address the comments, and list the section/page numbers for each response. Once Tiffany is able to review the BEI documents, we will pass along those comments. We will also be setting up an IRT meeting in the coming weeks to discuss the subject of casualty insurance:

BDP-

1. On page 3, at least a brief description of what the 1st phase in PR/EL entails should be clearly stated in the last paragraph;
2. Physical UPS's for re-establishment/rehabilitation shouldn't duplicate CRAM metrics, but rather use different UPS's in the UPS excel table;
3. All tables using uniform re-establishment credits "ratio conversion" should have table footnotes stating as such, especially for the different listed mitigation types;
4. Re-label Section 6.3.2 title, as well as all tables in this section, as applicable to pond *and* wetland restoration sites;
4. Page 121, shouldn't the 1.4.4 title include "buffer"? And how is the section 1.4.4 any different from section 1.4.5? Revise as appropriate;
5. Page 138/144, restoration at Frakes Canyon/Edgewater should at least also have a hydrology UPS too, similar to other restoration UPS tables. Same should be applied to any other relevant restoration UPS tables;
6. Page 150, text for the Turkey Tail area describes alluvial/upland buffer/riparian buffer. However, Figure 63 depicts more water types and credits. Moreover, table 37 only contains alluvial credits. Revise as appropriate;
7. Page 157, same comment above applies to Table 41, for the Joey stream area. Table doesn't match text and figures, revise as appropriate;

EXHIBIT F-

8. Page 4, strike out language stating 404 credits can be used/sold outside of the primary/secondary/tertiary service areas;
9. Page 4, should refer to Appendix A as a guide (softer language), not as a directive. Revise as: "The Mitigation Ratio Setting Checklist for both Re-establishment and Preservation Credits is included as Appendix A, and should be used ***as a guide*** to find the appropriate mitigation ratio when purchasing credits from the Bank";
10. Page 9, Section 3.0, should be re-phrased as uniform re-establishment credits and preservation-only credits applying to Phase 1.
11. (Section 3.0) Is a CE not intended for Phase 1 to include Area C, which only has 404 preservation credits?
12. For greater clarity, should consistently use the term "uniform re-establishment credits" throughout;

EXHIBIT F, Appendix A-

13. Revise the paragraph above "aquatic resource re-establishment credits" as follows: "To determine the appropriate mitigation ratio when authorizing use of credits from the Bank, the Corps project manager will use the most current version of the mitigation ratio setting checklist, checklist instructions, and other related documents as described in the Corps 12501-SPD Regulatory Program Standard Operating

Procedure for the Determination of Mitigation Ratios. When applying the checklist the following modifiers should be used as a guide to determine the appropriate mitigation ratio when purchasing credits from the Bank:";

Re-establishment credits section:

14. For Step 2/3, revise to: "...to low functioning urbanized aquatic resources..";

15. For Step 6 (in this section and throughout Appendix A), replace "pristine" with "high functioning". Replace "large" with "substantial";

16. For Step 9, revise as: "For impacts to relatively low-functioning aquatic resources, mitigation ratios for "Re-establishment" credits purchased at the bank will generally fall between 0.25:1 to 1.5:1; based on the adjustments applied in steps 2-8. If the permittee purchasing credits from the Bank does not complete an FCAM, a minimum of 1:1 mitigation ratio would be applied.";

Aquatic resource preservation credits section:

17. For Step 2/3, delete the last sentence.

18. For Step 6, we also do not agree on the suggested ratio adjustment. Remove language listing a specific range.

19. For Step 9, also remove language listing the specific range, rephrase as just a summation of the above steps.

Riparian/Upland Buffer Preservation credit sections:

20. Same comments for these sections, as for the "aquatic resource Preservation credits section".

OTHER-

21. A current title report will be needed.

Thanks,

Shannon Pankratz
Senior Project Manager, Biologist

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-----Original Message-----

From: Nate Bello [mailto:bello@wra-ca.com]

Sent: Monday, August 17, 2015 5:50 PM

To: Pankratz, Shannon L SPL; Allen, Aaron O SPL; Swenson, Daniel P SPL; David Lawhead; Zimmerman, Jan@waterboards; Sarvy Mahdavi; Tracey Brownfield; Julie Beeman; Keelie Rocker; Tim DeGraff; bchadwick@mitchellchadwick.com

Subject: [EXTERNAL] Petersen Ranch Bank Enabling Instrument Resubmittal

Hi all,

We have uploaded the BEI Exhibits to RIBITS incorporating all of the changes from your comments on our September submittal, as well as the results of our IRT meetings earlier this year. We have also incorporated the Water Board and CDFW's comments/input on the service areas which we received last month (Thank you!)

We have provided word documents in track changes for everything except for Exhibit C-1, the Development Plan, which had such sweeping changes that tracking the changes was infeasible. Attached to this email is a matrix summarizing how we addressed your comments and which exhibits in the BEI have changed from

the September submittal. Also, attached to this email is the Sponsor's expected review schedule, though she is very hopeful that we can improve on the timeline indicated by this schedule.

The files can be downloaded from RIBITS, or,

These files can also be downloaded from our FTP site:

FTP://50.76.51.173 <ftp://50.76.51.173/>

Username: PetersenRanch

Password: Petersen\$

or from Dropbox:

BLOCKEDdropbox[.]com/sh/7m5wqg6pziu3160/AAC00oXpgH9AnDScA35-mBSka?dl=0BLOCKED

If you need a CD of these files, please contact me and I will send one to you ASAP.

Thank you all for working with us on this project,

Nate

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Classification: UNCLASSIFIED

Caveats: NONE